

# Exhibit I

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF  
OHIO  
EASTERN DIVISION**

**STACIE RAY, et al.**

Plaintiffs,

v.

**STEPHANIE MCCLOUD, Director,  
Ohio Department Health, et al.,**

Defendants.

Case No.: 2:18-cv-00272-MHW-CMV

Judge: Michael Watson  
Magistrate Judge: Chelsey Vascura

**DECLARATION OF GABRIEL ARKLES**

Pursuant to 28 U.S.C. 1746

I, Gabriel Arkles, declare under penalty of perjury that the following is true and correct to the best of my knowledge and belief:

1. I am above the age of 18, I am competent to testify, and I have personal knowledge of the matters contained in this declaration.
2. I am senior counsel at the Transgender Legal Defense and Education Fund.  
  
From 2017 through 2020, I was a senior staff attorney at the ACLU LGBT & HIV Rights Project. While at the ACLU, I represented Plaintiffs in this litigation.
3. The ACLU is a nationwide non-profit organization that relies upon the contributions of its members and supporters, and in part upon attorney fees incurred in litigation, to fund its operations.

4. I have been licensed to practice law in New York since 2006. I am also admitted in the United States District Court for the Southern District of New York, the Ninth Circuit Court of Appeals, and the Supreme Court of the United States. I was admitted *pro hac vice* to the Southern District of Ohio for purposes of this litigation.
5. I graduated law school in 2004. From 2004 to 2010, I worked at the Sylvia Rivera Law Project, first as a law fellow, and then as a staff attorney and director of prisoner justice. While there, I provided free legal services to low-income transgender people and transgender people of color on a range of issues, including access to gender congruent birth certificates and ID. In addition to hundreds of more routine cases, I also represented transgender people in complex litigation in state and federal courts. From 2010 to 2017, I taught legal skills, social justice, and professional responsibility to law students at New York University School of Law (for three years) and Northeastern University Law School (for four years), while also volunteering for transgender advocacy organizations and publishing scholarly work related to gender and the law. From 2017 to 2020, I worked at the ACLU, where virtually all of my work involved transgender rights litigation.
6. I have accumulated experience working on complex constitutional and other federal civil rights litigation, particularly in the area of transgender rights, similar to the work I performed in this lawsuit.
7. My resume detailing my professional qualifications is attached to this Declaration as Exhibit I-1.

8. My hours expended working on this case are attached to this Declaration as Exhibit I-2.
9. The time expended and costs incurred have been reasonable, and the records submitted are an accurate reflection of the time I expended in this case. I documented my time in six-minute increments.
10. I exercised billing judgment to prepare these time records. For example, I did not list time for many small tasks or for any tasks that did not take at least six minutes to complete.
11. The reasonable hourly rate for my work is \$375.
12. I am using a fair market rate for my time as an attorney with fourteen years' experience who practices in this area of law. I believe this rate reflects my level of skill and experience and that it is comparable to similar attorneys in the region where the court is located. In my usual practice area of New York City, my reasonable rate would be \$600, but I am using the local reasonable rate. These conclusions are based in part on the guidance published by the Ohio State Bar Association, attached to the Fee Petition in this case as Exhibit A.
13. The lodestar figure for my work on this case, determined by multiplying my reasonable hours expended by my reasonable rate, is  $111 * 375 = \$41,625$ .

Dated: February 1, 2021

By: Gabriel Arkles  
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